

Wetlands Bureau Decision Report

Decisions Taken
03/29/2004 to 04/02/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2003-00175 GADD, JOHN
BARRINGTON Unnamed Wetland

Requested Action:

Request for reconsideration of the Department's approval decision dated February 17, 2004 to: Fill approximately 7,822 square feet within forested wetlands and within the bed and banks of an unnamed perennial stream and an intermittent stream to upgrade Oak Hill Road to provide access to an 18-lot residential subdivision on approximately 76 acres adjacent to Barrington Prime Wetlands #28 and #42.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated March 3, 2003 the Barrington Conservation Commission referenced its Memorandum to the Barrington Planning Board dated September 26, 2002 which raised the following three project-related concerns: 1. Adverse wetlands and surface waters impacts associated with improvements to Oak Hill Road; 2. Adverse wetlands and surface waters impacts associated with proposed construction of four homes on the south side of Oak Hill Road; and 3. Stormwater runoff to wetlands and surface waters, and wildlife corridor disruptions associated with construction of the residential development and subsequent increased vehicular traffic.

Inspection Date: 03/19/2003 by Christian P Williams

DENY RECONSIDERATION:

Reaffirm approval of standard dredge and fill application to fill approximately 7,822 square feet within forested wetlands and within the bed and banks of an unnamed perennial stream and an intermittent stream to upgrade Oak Hill Road to provide access to an 18-lot residential subdivision on approximately 76 acres adjacent to Barrington Prime Wetlands #28 and #42. As compensatory mitigation for jurisdictional impacts preserve a total of 27.4 acres of wetlands and contiguous upland buffer on-site.

With Findings:

In a letter to the NHDES Wetlands Bureau dated March 11, 2004 Kai Stapelfeldt and Robert Eckert request reconsideration of the Department's decision and raise the following concerns: a) The proposed culvert beneath Oak Hill Road at the outlet of Prime Wetland #42 should be replaced with a span to allow wildlife, especially herptiles, to feed and travel in the area around the road; b) Terminating Oak Hill Road North in a cul-de-sac would not jeopardize the safety and well-being of the general public; c) The project may result in the local extirpation of Blanding's and spotted turtles; and d) To protect functions and values, there should be no change in hydrology or filling in Prime Wetland #42.

In response, the Department reaffirms the findings of its approval dated February 17, 2004 and makes the following additional findings:

1. The Department finds that the proposed 4-foot x 2-foot box culvert beneath Oak Hill Road North (sta 11+54.6) will provide sufficient passage for wildlife, including herptiles.
2. At a Barrington Planning Board meeting on October 17, 2002, Barrington Fire Chief, Rick Walker, indicated that upgrading Oak Hill Road North to provide a connection to Oak Hill Road South would improve fire department response times to the proposed subdivision by 3 to 4 minutes. Based on this information, the Department finds that the project provides a benefit to the safety and well being of the general public, in accordance with Rule Wt 302.04(a)(12).
3. There is no evidence to indicate that the project will result in the local extirpation of Blanding's or spotted turtles.
4. As the southern-most boundary of Barrington Prime Wetland #42 is located approximately 250 feet northwest of Oak Hill Road, upstream of the location of the proposed 4-foot x 2-foot box culvert, and as forested uplands adjacent to Barrington Prime Wetland #42 will be protected via deed restriction, the Department finds that the project will not adversely impact the hydrology of Barrington Prime Wetland #42. Furthermore, the project proposes no placement of fill directly in Barrington Prime Wetland #42.

**2003-01232 SMARTS MTN REALTY, GEORGE EVARTS, MGR
DORCHESTER Tributary To Reservoir Pond**

Requested Action:

Dredge and fill 78,591 square feet of palustrine wetlands and surface water area to construct a wildlife pond. Work will include creating shallow marsh and emergent wetlands, deep water habitat, beach boarder/gravel habitat, and nesting islands. The area is proposed to be placed under deed restriction and managed in accordance with the wildlife habitat plan.

Conservation Commission/Staff Comments:

The town of Dorchester does not have a conservation commission.

APPROVE PERMIT:

Dredge and fill 78,591 square feet of palustrine wetlands and surface water area to construct a wildlife pond. Work will include creating shallow marsh and emergent wetlands, deep water habitat, beach border/gravel habitat, and nesting islands. The area is proposed to be placed under deed restriction and managed in accordance with a wildlife habitat plan.

With Conditions:

1. All work shall be in accordance with plans by James S. Kennedy, as received by the Department on March 1, 2004.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. The permittee shall notify DES in writing of their intention to commence construction no less than 5 business days prior to construction.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Silt fencing must be removed once the area is stabilized.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Mitigation Conditions:

17. This permit is contingent upon the execution of a deed restriction on 10.6 acres as depicted on plans received March 1, 2004.
18. The deed restriction to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to these restrictions.
19. The plan noting the boundaries of the deed restrictions with a copy of the final easement language shall be recorded with the Registry of Deeds Office. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau with the post construction report.
20. The deed restriction area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] within 30 days of the completion of construction.
21. Activities in contravention of the deed restriction shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).
22. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
23. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
24. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of pond construction.

With Findings:

1. The project is categorized as a Major Project per NH Administrative Rule Wt 303.02 (h), as the proposed pond will impact greater than 20,000 square feet of wetland.
2. DES Wetlands Staff conducted site inspections on July 29, 2003 and October 17 2003. The area is a palustrine emergent wetland with a variety of shallow water habitats, including a pond border fen which will be preserved. The area has a multitude of beaver dams which appear abandoned.
3. The proposed pond project will not only create open water habitat, but will also create shallow marsh and emergent wetlands, beach/boulder/gravel habitat, nesting islands, flooded timber.
4. Public hearing is waived with the finding that project impacts will not significantly impair the resources of the wetland and riparian ecosystem.
5. Overall, the proposed pond and associated habitat types will create additional opportunities for fish and wildlife to utilize the area.

MINOR IMPACT PROJECT

2000-01648 HANOVER, TOWN OF
HANOVER Mink Brook

Requested Action:

Request for permit amendment to replace two twin multi-plate culverts beneath Ruddsboro Road, identified as bridges 124/084 and 122/083, with pre-cast concrete (CONSPAN) arch culverts.

Conservation Commission/Staff Comments:

No comments received from the Hanover Conservation Commission (ConCom) regarding the proposed permit amendment. In a letter dated August 24, 2000, the Hanover ConCom states that they are in support of the project as long as erosion controls are installed as needed.

APPROVE AMENDMENT:

Replace two twin multi-plate culverts beneath Ruddsboro Road, identified as bridges 124/084 and 122/083, with pre-cast concrete (CONSPAN) arch culverts.

With Conditions:

1. All work shall be in accordance with the following plans by Concrete Systems, Inc.:
 - a) Plans entitled "Ruddsboro Road Over Mink Brook (124/084)" (Sheets C/S1 - C/S4) dated June 3, 2003, as received by the Department on March 29, 2004; and
 - b) Plans entitled "Ruddsboro Road Over Mink Brook (122/083)" (Sheets C/S1 - C/S4) dated August 12, 2003, as received by the Department on March 4, 2004.
2. Work shall be conducted during low flow conditions.
3. Mechanized equipment shall not enter Mink Brook.
4. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Disturbed stream banks shall be restored to original contours and to a stable condition within three days of completion of construction.
11. Precautions shall be taken within riparian areas to limit disturbance of vegetation. In areas where vegetation has been cleared or otherwise disturbed as part of construction activities, native shrub and tree species shall be planted prior to the end of the growing season.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. On September 28, 2000 the NHDES Wetlands Bureau issued Wetlands and Non-Site Specific Permit No. 2000-01648 authorizing permanent and temporary impacts to the bed of Mink Brook associated with sliplining four twin multi-plate culverts beneath Ruddsboro Road, identified as bridges 122/083, 124/084, 130/086, and 133/089.
2. In a letter to the NHDES Wetlands Bureau dated February 23, 2004, the applicant (Town of Hanover) indicated that due to a lack of structural integrity bridges 122/083 and 124/084 would not support sliplining. As a result, the applicant requested an amendment of Wetlands and Non-Site Specific Permit No. 2000-01648 to replace the two twin multi-plate culverts, identified as bridges 122/083 and 124/084, with pre-cast concrete (CONSPAN) arch culverts.
3. Amended project activities will result in fewer total impacts to the bed of Mink Brook than originally authorized under Wetlands and Non-Site Specific Permit No. 2000-01648, as stone outlet aprons and temporary construction platforms will not be utilized.
4. Proposed work will take place within the footprint of the existing multi-plate culverts.
5. Replacement of the corrugated multi-plate culverts with arch culverts will return the stream bed to a more natural condition.

2002-02255 **THOMAS, LEONARD**
GILFORD **Lake Winnepesaukee**

Requested Action:

Amend permit to include construction of a perched beach.

Conservation Commission/Staff Comments:

Con. Com. agreed with boathouse repair, but requested that proposed beach be relocated in an area that does not affect shoreline vegetation. Also, requested that seasonal dock be permanently removed.

APPROVE AMENDMENT:

Permanently remove 39 support piling remnants and replace 46 pilings supporting a 66 ft x 38 ft 8 in boathouse, and excavate 375 sq ft of bank to construct a 15 ft x 25 ft perched beach, surrounded by 45 linear ft of stone wall, utilizing 10 cu yds of sand, with 6 ft wide steps accessing the beach and the water on an average of 181 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work to repair the boathouse shall be in accordance with plans by Watermark Marine Construction dated September 5, 2002, as received by the Department on September 24, 2002.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. This permit does not allow for maintenance dredging.
5. Repairs shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures on this frontage shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any existing structures were not previously permitted or grandfathered in their current size, location and configuration.
7. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
8. Work shall be done during drawdown.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Added Conditions:

10. All work on the beach shall be in accordance with plans by Watermark Marine Construction dated September 5, 2002 and revisions dated 4/18/2003, as received by the Department on April 24, 2003.
11. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet) and no beach construction shall commence until the applicant submits, and DES approves, an appropriate woodland buffer restoration plan.
12. Excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction prior to the construction of the beach.
13. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
14. The steps installed for access to the water shall be located completely landward of the normal high water line.
15. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
16. This permit shall be used only once, and does not allow for annual beach replenishment.
17. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
18. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a perched beach utilizing no more than 10 cubic yards of sand.
2. The Gilford Conservation Commission recommended that the perched beach be moved to an area that does not affect shoreline vegetation.
3. This approval is contingent upon submission by the applicant, and approval by DES, of a woodland buffer restoration and

- replanting plan for the shoreland area between the house and around the beach that will enhance the existing woodland buffer.
4. The Gilford Conservation Commission recommended that the seasonal dock be completely removed.
 5. The dock is not the subject of this permit application and can be dealt with separately in accordance with condition #6 of the permit.
 6. The Gilford Conservation Commission requested that DES visit the site and contact the Commission when a visit is planned.
 7. DES personnel conducted an inspection of the property on May 9, 2003.

2003-00425 BUSSIERE, FREDERICK
BARRINGTON Unnamed Stream

Requested Action:

Fill approximately 3,100 square feet (36 linear feet) within the bed and banks of an unnamed perennial stream and adjacent forested wetlands to install a 2-foot x 5-foot open-bottom box culvert and construct a driveway to provide access to multi-family dwellings on approximately 6.13 acres.

Conservation Commission/Staff Comments:

In a report received by the Department on March 7, 2003 the Barrington Conservation Commission (ConCom) indicated that it wished to further investigate the application, in accordance with RSA 482-A:11.III. The Department received no subsequent correspondence regarding the application from the Barrington ConCom.

APPROVE PERMIT:

Fill approximately 3,100 square feet (36 linear feet) within the bed and banks of an unnamed perennial stream and adjacent forested wetlands to install a 2-foot x 5-foot open-bottom box culvert and construct a driveway to provide access to multi-family dwellings on approximately 6.13 acres.

With Conditions:

1. All work shall be in accordance with the following plans by David W. Vincent, LLS:
 - a) The Site Plan dated March 24, 2004, as received by the Department on March 29, 2004; and
 - b) The Wetlands Crossing Site Plan (Sheet 1 of 2) and the Wetlands Crossing Detail Sheet (Sheet 2 of 2) dated February 17, 2004, as received by the Department on March 8, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be conducted during low flow conditions.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands and surface waters.
2. To minimize impacts to the bed of the unnamed perennial stream the project design incorporates an open-bottom box culvert.
3. The applicant has provided evidence that the open-bottom box culvert has been sized to pass a 100-year storm event.
4. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
5. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

2003-01476 CHARAN INDUSTRIES INC
LACONIA Unnamed Wetland Vernal Pool

Requested Action:

Approve name change to: Akwa Vista LLC, Richard Mailloux, Mgr., 59 Sandy Pond Parkway, Bedford, NH 03110 per request received 3/20/04.

Conservation Commission/Staff Comments:

The Laconia Conservation Commission has concerns with the intensity of this development but has agreed to hold the proposed conservation easement.

Inspection Date: 10/28/2003 by Jocelyn S Degler

APPROVE NAME CHANGE:

Dredge and fill 16,513 square feet of forested wetland for the construction of an access road and common driveway for 171 single family residential lots in the cluster subdivision of 148.93 acres. Mitigation of the proposed impacts will be via a 13.37 acre conservation easement.

With Conditions:

1. All work shall be in accordance with plans by Nobis Engineering dated July 2003 revised through November 13, 2003, as received by the Department on November 24, 2003.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on approval by the DES Site Specific Program.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the NHDES Wetlands Bureau prior to construction.
7. At least 48 hours prior to the start of construction a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, their professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Laconia Conservation Commission of the date project construction is proposed to begin.
9. Work shall be conducted during low flow conditions.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

13. Dredged material shall be placed outside of the jurisdiction of the NHDES Wetlands Bureau.

14. Proper headwalls shall be constructed within seven days of culvert installation.

15. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.

16. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

17. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Upland Buffer and Wetland Preservation:

21. This permit is contingent upon the preservation of a total of approximately 13.37 acres on-site, as depicted on the Proposed Easement Plan by David M Dolan Associates PC dated April 2, 2003 and revised July 11, 2003, as received by the Department on November 24, 2003. The conservation easement areas, which include 5.13 acres of wetlands and approximately 8.24 acres of contiguous upland buffer, shall be conveyed to The Laconia Conservation Commission or other appropriate grantee.

22. The permittee has one month from the preconstruction meeting with NHDES Land Resources Management Personnel to find an alternate grantee for the conservation easement. This alternate party if found shall be approved by NHDES and The Laconia Conservation Commission.

23. The conservation easement areas shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

24. Signs to indicate the location of and restrictions on the conservation easement areas shall be posted no further than every 150 feet along the boundary of the conservation easement areas prior to construction.

25. Prior to construction, the permittee shall notify the NHDES Wetlands Bureau of the placement of the conservation easement area signs.

26. There shall be no removal of the existing vegetative undergrowth within the conservation easement areas and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

27. Activities in contravention of Conservation Easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2003-02193 WENTWORTH, PAUL ROCHESTER Unnamed Wetland

Requested Action:

Fill approximately 3,450 square feet within an isolated, man-made, scrub-shrub and emergent wetland and approximately 350 square feet (45 linear feet) within an existing drainage ditch as part of Phase I construction of a commercial facility with associated parking and driveways. Fill approximately 1,875 square feet within man-made roadside drainage ditches to widen U.S. Route 202 (Highland Street) to improve access to the commercial facility, and restore approximately 2,360 square feet (approximately 215 linear feet) of an eroding drainage ditch. As compensatory mitigation for wetlands impacts preserve approximately 5.16 acres of wetlands and contiguous upland buffer on-site.

Conservation Commission/Staff Comments:

In a letter dated September 28, 2003 the Rochester Conservation Commission recommended approval of the application and

expressed its support for regrading and replanting the entire length of the drainage ditch that serves as the outlet to the existing pond on-site.

APPROVE PERMIT:

Fill approximately 3,450 square feet within an isolated, man-made, scrub-shrub and emergent wetland and approximately 350 square feet (45 linear feet) within an existing drainage ditch as part of Phase I construction of a commercial facility with associated parking and driveways. Fill approximately 1,875 square feet within man-made roadside drainage ditches to widen U.S. Route 202 (Highland Street) to improve access to the commercial facility, and restore approximately 2,360 square feet (approximately 215 linear feet) of an eroding drainage ditch. As compensatory mitigation for wetlands impacts preserve approximately 5.16 acres of wetlands and contiguous upland buffer on-site.

With Conditions:

1. All work shall be in accordance with the following plans by Norway Plains Associates, Inc.:
 - a) The Phase I Wetland Impact Plan (Sheet W-2) and the Wetlands Impact Plan (Sheet W-3) dated September 2003 and revised March 30, 2004, as received by the Department on March 30, 2004;
 - b) The Overall Wetland Impact Plan (Sheet W-1) dated September 2003 and revised March 1, 2004, as received by the Department on March 2, 2004; and
 - c) The Wetland Delineation Plan dated September 2003, as received by the Department on September 26, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. No work within the Department's jurisdiction shall take place within the right-of-way of U.S. Route 202 (Highland Street) without prior consent from the NH Department of Transportation.
5. Work shall be conducted during low flow conditions.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Restoration of the drainage ditch that serves as the outlet to the existing pond on-site shall be conducted concurrent with site development and shall take place during no-flow conditions.
10. The permittee shall submit a report to the DES Wetlands Bureau within 30 days following completion of restoration work summarizing the scope of restoration activities. Said report shall contain color photographs of the restoration site.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands and surface waters.
2. The project consists of Phase I development of a commercial facility with associated parking and driveways. Proposed Phase II development consists of a restaurant and recreational and picnic areas. Proposed jurisdictional impacts associated with Phase II development have been estimated to total approximately 630 square feet.
3. Information submitted in support of the application as well as information provided by the Rochester Conservation Commission in a letter to the DES Wetlands Bureau dated September 28, 2003 indicates that the isolated, scrub-shrub wetland to be filled as part

of Phase I development has been historically disturbed and possesses very low functions and values.

4. In a letter dated September 28, 2003 the Rochester Conservation Commission recommended approval of the application and expressed its support for regrading and replanting the drainage ditch that serves as the outlet to the existing pond on-site.

5. In response to the recommendations of the Rochester Conservation Commission the applicant has agreed to restore approximately 2,360 square feet (approximately 215 linear feet) of the drainage ditch that serves as the outlet to the existing pond on-site.

6. As compensatory mitigation for wetlands impacts the applicant has agreed to preserve with warranty covenants approximately 5.16 acres on-site, including 3.21 acres of wetlands and 1.95 acres of contiguous upland buffer.

7. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.

8. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

9. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2003-02285 DAGESSE, DANIEL & ELAINE
GILFORD Lake Winnepesaukee

Requested Action:

Reconsider and approve request to replace a 4 slip docking facility.

Conservation Commission/Staff Comments:

Con Com has no objections to proposed project.

APPROVE PERMIT:

Permanently remove an existing F-shaped piling dock, and replace with a 'W'-shaped docking structure consisting of (1) 6 ft x 33 ft piling pier, and (2) 6 ft x 35 ft piling piers connected by (2) tapered 6 ft x 12 ft walkways, accessed by existing granite steps, retain (2) existing jet ski lifts and (1) existing 14 ft x 30 ft canopy, and install (1) 14 ft x 30 ft canopy on an average of 274 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated September 25, 2003, as received by the Department on October 8, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. The existing 'F' shaped docking structure shall be completely removed from the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal structures shall be removed entirely from jurisdiction for the non-boating season.
9. Canopies shall be designed to be completely removed for the non-boating season. Canopy covers shall be of flexible fabric and shall be removed for the non-boating season.
10. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 4-slip 'W' shaped docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant submitted the appropriate fee for the replacement of the existing structure on April 1, 2004.

2003-02313 TOBIN, WILLIAM
SANBORTON Unnamed Stream

Requested Action:

Dredge and fill 3,000 square feet to reroute stream and pond.

Conservation Commission/Staff Comments:

JDB met with Mr. Tobin on 10/17/03 to discuss the requirements needed for this application. Mr. Tobin will be sending in additional paperwork.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Dredge and fill 3,000 square feet to reroute stream and pond.

With Findings:

1. A request for additional information dated October 21, 2003, addressed to the applicant and carbon copied to the agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2003-02485 GOOSE POND LAKE ASSOCIATION, C/O DAVE BARNEY
CANAAN Goose Pond

Requested Action:

Construct two 6 ft wide steps in the bank to access an existing beach, install 50 lnft of rip rap around the point, add vegetation to the site to control erosion on Goose Pond, Canaan.

Conservation Commission/Staff Comments:

No response from the Con Com as of 12/11/03

APPROVE PERMIT:

Construct two 6 ft wide steps in the bank to access an existing beach, install 50 lnft of rip rap around the point, add vegetation to the site to control erosion on Goose Pond, Canaan.

With Conditions:

1. All work shall be in accordance with plans by Ray Lobdell, as received by the Department on March 15, 2004 and revised seed mix received March 23, 2004.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and shall remain until the area is stabilized.

3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
5. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
6. Work shall be done during drawdown.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.04(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The proposed project will protect an area designated for public use and is on state owned land.

2003-02567 DERRY COOPERATIVE SCHOOL DISTRICT, NH ADMIN UNIT #
DERRY Unnamed Wetland

Requested Action:

Permanently fill approximately 17,880 square feet of emergent wetlands to renovate and expand the Gilbert H. Hood Middle School and improve surrounding infrastructure. Temporarily disturb approximately 1,370 square feet of emergent wetlands for roadway construction, erosion control installation and stormwater management improvements. As compensatory mitigation for permanent wetlands impacts preserve approximately 2.4 acres of forested upland buffer on-site.

Conservation Commission/Staff Comments:

No comments received from the Derry Conservation Commission.

Inspection Date: 10/08/2003 by Christian P Williams

APPROVE PERMIT:

Permanently fill approximately 17,880 square feet of emergent wetlands to renovate and expand the Gilbert H. Hood Middle School and improve surrounding infrastructure. Temporarily disturb approximately 1,370 square feet of emergent wetlands for roadway construction, erosion control installation and stormwater management improvements. As compensatory mitigation for permanent wetlands impacts preserve approximately 2.4 acres of forested upland buffer on-site.

With Conditions:

1. All work shall be in accordance with the following plans:
 - a) The Existing Conditions Plan (Drawings 1 - 3 of 3) by CLD Consulting Engineers, Inc. and True Engineering & Survey, Inc. dated June 2003, as received by the Department on November 14, 2003;
 - b) The Site Plan (Sheets 1 & 3 of 3) and the Erosion Control Details (Sheet 1 of 1) by Jesseman Gallant & Associates, P.C. dated November 12, 2003, as received by the Department on November 14, 2003;
 - c) The Site Plan (Sheet 2 of 3) by Jesseman Gallant & Associates, P.C. dated November 12, 2003 and revised February 5, 2004, as received by the Department on March 5, 2004; and
 - d) The Mitigation Plan (Sheet 1 of 1) by Jesseman Gallant & Associates, P.C. dated November 10, 2003 and revised January 22, 2004, as received by the Department on March 5, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s)

responsible for performing the work.

5. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Derry Conservation Commission of the date project construction is proposed to begin.
6. Work shall be conducted during low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Temporary wetlands impact areas shall be regraded to original contours, planted with a wetland seed mix and stabilized immediately following completion of work.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Upland Buffer Preservation:

18. This permit is contingent upon preservation, through execution of protective covenants, of approximately 2.4 acres of forested upland buffer on-site, as depicted on the Mitigation Plan (Sheet 1 of 1) by Jesseman Gallant & Associates, P.C. dated November 10, 2003 and revised January 22, 2004, as received by the Department on March 5, 2004.
19. The protective covenants to be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to protective covenants.
20. The plan noting the preservation area with a copy of the final Declaration of Protective Covenants shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
21. The preservation area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
22. Signs to indicate the location of and restrictions on the preservation area shall be posted no further than every 150 feet along the boundary of the preservation area prior to construction.
23. Prior to construction, the permittee shall notify the NHDES Wetlands Bureau of the placement of the preservation area signs.
24. Activities in contravention of the final Declaration of Protective Covenants shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.
2. Project activities include classroom and cafeteria expansion, construction of a gymnasium and other site improvements at the Gilbert H. Hood Middle School to address overcrowding within the Derry Cooperative School District.
3. Information submitted in support of the application indicates that alternatives including construction of a new middle school and expansion of an existing middle school are not practicable.
4. Information provided by the Certified Wetland Scientist who performed the wetland delineation indicates that the palustrine emergent wetland to be filled has been subject to historic disturbances, including ditching, filling and fragmentation. Due to these historic disturbances, and due to its small size, landscape position and the relatively small size of the contributing watershed, the emergent wetland provides limited functions and values.
5. In a memo dated September 25, 2003 the NH Natural Heritage Bureau indicated that the state-threatened Grasshopper Sparrow had been identified in the project vicinity.

6. In a letter dated February 3, 2004 the NH Fish & Game Department indicated that after consultation with the Audubon Society of New Hampshire, the proposed project is not likely to impact Grasshopper Sparrows, as the site identified by the NH Natural Heritage Bureau appears to be historic and no longer present.
7. NHDES Wetlands Bureau staff conducted a field inspection of the property on October 8, 2003.
8. In a letter dated March 23, 2004 the NH Division of Historical Resources stated that the project will have no adverse effect on any properties or districts that are listed in or may be eligible for the National Register, nor on properties of known or potential architectural, historical, archaeological or cultural significance if the work is conducted as described in the project plans.
9. The Department received no comments regarding the project from the Derry Conservation Commission.
10. As compensatory mitigation for permanent wetlands impacts, the applicant has agreed to preserve approximately 2.4 acres of forested upland buffer on-site.
11. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
12. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
13. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2003-02711 GLOVER, KENDRA
LYME Unnamed Wetland

Requested Action:

Dredge and fill 6600 square feet including the installation of two culverts impacting 150 linear feet of stream for access to a proposed building site.

Conservation Commission/Staff Comments:

The Lyme Conservation Commission provided positive comments regarding the proposed project.

APPROVE PERMIT:

Dredge and fill 6600 square feet including the installation of two culverts impacting 150 linear feet of stream for access to a proposed building site.

With Conditions:

1. All work shall be in accordance with plans and narrative by Lobdell Associates Inc received by the Department on March 19, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Prior to commencing work within a flowing stream bed, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. In-stream work including the installation and removal of cofferdams shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
15. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(c), projects that involve dredge, fill, or construction of a permanent structure in a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Lyme Conservation Commission provided positive comments regarding this application on December 8, 2003.

2003-02795 DEVELLIS, RICHARD
LINCOLN Pemigewasset River

Requested Action:

Install 1,078 sq. ft. of stone rip rap scour protection together with bioengineering plantings to stabilize 98 linear feet of embankment along the East Branch of the Pemigewasset River.

Conservation Commission/Staff Comments:

No Comments Received

APPROVE PERMIT:

Install 1,078 sq. ft. of stone rip rap scour protection together with bioengineering plantings to stabilize 98 linear feet of embankment along the East Branch of the Pemigewasset River.

With Conditions:

1. All work shall be in accordance with plans by A.K.Design & Drafting dated Sept. 2003, as received by the Department on December 18, 2003.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), to install 1,078 sq. ft. of stone rip rap scour protection together with bioengineering plantings to stabilize 98 linear feet of embankment along the East Branch of the Pemigewasset River.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

Requested Action:

PERMIT IS RESCINDED AS OF 04/02/2004 FOR FURTHER EVALUATION OF PROJECT PROPOSAL AND ON SITE INSPECTION BY WETLANDS BUREAU STAFF.

OTHER:

PERMIT IS RESCINDED AS OF 04/02/2004 FOR FURTHER EVALUATION OF PROJECT PROPOSAL AND ON SITE INSPECTION BY WETLANDS BUREAU STAFF.

2003-02826 PAQUETTE, THOMAS
CENTER HARBOR Unnamed Wetland

Requested Action:

Dredge and fill 2998 square feet to install a 48-inch x 58 foot culvert for access to a proposed gravel pit.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 2998 square feet to install a 48-inch x 58 foot culvert for access to a proposed gravel pit.

With Conditions:

1. All work shall be in accordance with plans by Fluet Engineering Associates PC dated May 2003 and revised through March 11, 2004, as received by the Department on March 12, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Work shall be done during low flow.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
14. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

17. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Wt 303.02.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on March 4, 2004. Field inspection determined the existing crossing is inadequate for the proposed use and the proposal is the least impacting alternative to jurisdiction.

2003-02844 BAGONE III, ROCCO
LOUDON Unnamed Wetland

Requested Action:

Dredge and fill a total of 7508 square feet of palustrine forested wetland for installation of a bridge over the Canterbury River for driveway access to a campground.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill a total of 7508 square feet of palustrine forested wetland for installation of a bridge over the Canterbury River for driveway access to a campground.

With Conditions:

1. All work shall be in accordance with plans by TAW Associates dated December 4, 2003, as received by the Department on December 22, 2003 and fax plan from TAW Associates received March 17, 2004.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

4. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

5. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.

6. Work shall be done during low flow.

7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the

substructure work area from the surface waters.

10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
15. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
16. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
22. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
23. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
24. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
25. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
26. Silt fencing must be removed once the area is stabilized.
27. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(c), projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh that do not meet the criteria of Wt 303.02, except those projects in streams which meet the criteria of Wt 303.04(g).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00009 **COOKE, PAMELA**
BEDFORD **Unnamed Wetland**

Requested Action:

Dredge and fill a total of 5,150 sq. ft. of palustrine forested/scrub-shrub wetlands to construct two (2) driveway/culvert crossings within a 6-lot residential subdivision on a 14 acre parcel of land.

Conservation Commission/Staff Comments:

Bedford Conservation Commission recommends approval of the application.

APPROVE PERMIT:

Dredge and fill a total of 5,150 sq. ft. of palustrine forested/scrub-shrub wetlands to construct two (2) driveway/culvert crossings within a 6-lot residential subdivision on a 14 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Sandford Surveying and Engineering dated 12/17/03, as received by the Department on January 05, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), to dredge and fill a total of 5,150 sq. ft. of palustrine forested/scrub-shrub wetlands to construct two (2) driveway/culvert crossings.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2004-00092 LACROIX, DONALD & KAREN OBRIEN
ALTON Lake Winnepesaukee

Requested Action:

Permanently remove (2) 4 ft x 15 ft seasonal docks, and replace with a 4 ft x 16 ft seasonal dock connected to a 4 ft x 29 ft seasonal dock, in an "L" shape, and install a 10 ft x 12 ft seasonal boatlift on an average of 94 ft of frontage on the Merrymeeting River.

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Permanently remove (2) 4 ft x 15 ft seasonal docks, and replace with a 4 ft x 16 ft seasonal dock connected to a 4 ft x 29 ft seasonal dock, in an "L" shape, and install a 10 ft x 12 ft seasonal boatlift on an average of 94 ft of frontage on the Merrymeeting River.

With Conditions:

1. All work shall be in accordance with plans by Steven J. Smith Associates, Inc. dated December 22, 2003, revised on January 28, 2004, as received by the Department on February 4, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Removed seasonal docks and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.

6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
9. Seasonal structures shall be removed from the water for the non-boating season.
10. No portion of the pier shall extend more than 16 feet from the shoreline.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), installation of an "L" shaped seasonal dock providing 3 slips, replacing (2) seasonal docks providing 4 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00121 HUTCHINS, PETER
MEREDITH Lake Winnepesaukee

Requested Action:

Amend permit to include a boatlift in the center slip.

Conservation Commission/Staff Comments:

Con. Com. had no objection to project.

APPROVE AMENDMENT:

Construct (2) 6 ft x 30 ft piling piers connected by a 6 ft x 12 ft walkway, in a 'U' shape, and install (4) fender pilings and (2) 3-piling ice clusters adjacent to a 6 ft x 6 ft landing, and install a boatlift in the center slip on an average of 150 ft of frontage on Meredith Bay, Lake Winnepesaukee.

With Conditions:

Amended Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated October 31, 2002, revised on March 31, 2004, as received by the Department on April 1, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. The existing 6 ft x 13 ft landing shall be reduced to 6 ft x 6 ft prior to construction of the new dock.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.

8. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
9. No portion of the piers shall extend more than 30 ft lakeward of the normal highwater line.
10. Pilings shall be spaced a minimum of 12 ft apart as measured center to center.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a U-shaped, piling supported, docking structure, providing 3-slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00134

T. DEARY PROPERTIES

MERRIMACK Unnamed Wetland

Requested Action:

Dredge and fill a total of 3,934 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway with culvert crossings to access a 17-lot residential subdivision on a 47.289 acre parcel of land.

APPROVE PERMIT:

Dredge and fill a total of 3,934 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway with culvert crossings to access a 17-lot residential subdivision on a 47.289 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated Jan. 2004, as received by the Department on January 23, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), to dredge and fill a total of 3,934 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway with culvert crossings to access a 17-lot residential subdivision on a 47.289 acre parcel of land.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00143 GELAZAUSKAS, KOSTENTO
NASHUA Unnamed Wetland

Requested Action:

Dredge and fill a total of 5,830 sq. ft. of palustrine forested/scrub-shrub wetlands to construct an access roadway wetland crossing and a stormwater management facility associated with the development of a 32-lot residential subdivision on a 31.5 acre parcel of land.

Conservation Commission/Staff Comments:

No report received from the Nashua Conservation Commission.

APPROVE PERMIT:

Dredge and fill a total of 5,830 sq. ft. of palustrine forested/scrub-shrub wetlands to construct an access roadway wetland crossing and a stormwater management facility associated with the development of a 32-lot residential subdivision on a 31.5 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated 18 December 2003, as received by the Department on January 28, 2004 and February 10, 2004. Drainage easement and stormwater management areas will be revegetated according to planting details provided in narrative by Wetland Consulting Services dated January 2, 2004 as received by the Department on January 28, 2004
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Wetland replication in the drainage easement and stormwater management areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), to dredge and fill a total of 5,830 sq. ft. of palustrine forested/scrub-shrub wetlands to construct an access roadway crossing and a stormwater management facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00159 BERNARD, DAVID P & FLORENCE J
HOOKSETT Unnamed Wetland

Requested Action:

Dredge and fill a total of 7,650 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway to access a 112 unit older person development on a 61.488 acre parcel of land.

Conservation Commission/Staff Comments:

The Hooksett Conservation Commission reviewed this project, filed a report and is not opposed.

APPROVE PERMIT:

Dredge and fill a total of 7,650 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway to access a 112 unit older person development on a 61.488 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated January 2004, as received by the Department on January 29, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit shall not be effective until it has been recorded with the Merrimack County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), to dredge and fill a total of 7,650 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway to access a 112 unit older person development on a 61.488 acre parcel of land.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00194 BEDFORD, TOWN OF
BEDFORD McQuade Brook

Requested Action:

Dredge and fill a total of 2,425 sq. ft. within the embankments and 120 linear feet of flow channel to remove existing pipe culverts and headwalls and construct a new concrete bridge with associated wingwalls to carry Campbell Road over McQuade Brook.

Conservation Commission/Staff Comments:

The Bedford Conservation Commission voted to recommend approval of the application.

APPROVE PERMIT:

Dredge and fill a total of 2,425 sq. ft. within the embankments and 120 linear feet of flow channel to remove existing pipe culverts and headwalls and construct a new concrete bridge with associated wingwalls to carry Campbell Road over McQuade Brook.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants, Inc. dated 01/04, as received by the Department on February 06, 2004.
2. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(k), to dredge and fill a total of 2,425 sq. ft. within the embankments and 120 linear feet of flow channel to remove existing pipe culverts and headwalls and construct a new concrete bridge.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00228 128 REALTY CORP
PELHAM Unnamed Wetland Gumpas Pond Brook

Requested Action:

Dredge and fill 12,881 sq. ft. of palustrine scrub-shrub/emergent wetlands to construct a roadway/box culvert crossing of Gumpas Pond Brook to access an 8-lot residential subdivision on a 27.735 acre parcel of land.

APPROVE PERMIT:

Dredge and fill 12,881 sq. ft. of palustrine scrub-shrub/emergent wetlands to construct a roadway/box culvert crossing of Gumpas Pond Brook to access an 8-lot residential subdivision on a 27.735 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Associates, Inc. dated Aug. 2003, as received by the Department on February 11, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), to dredge and fill 12,881 sq. ft. of palustrine scrub-shrub/emergent wetlands to construct a roadway/box culvert crossing of Gumpas Pond Brook to access an 8-lot residential subdivision on a 27.735 acre parcel of land.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00373 SHATZER, WARREN
WOLFEBORO Lake Wentworth

Requested Action:

Install a 6 ft x 30 ft seasonal dock hinged to a 6 ft x 2 ft concrete pad, and excavate 605 sq ft to construct a 24 ft x 30 ft perched beach, utilizing 20 cu yds of sand, surrounded by 84 linear ft of stone wall, and dredge 20 sq ft of lakebed for stone steps accessing the water on an average of 153 ft of frontage on Crescent Lake, Wolfeboro.

Conservation Commission/Staff Comments:

Con. Com. recommends denial of project.

Town inaccurately applied 50% basal area to building envelope.

APPROVE PERMIT:

Install a 6 ft x 30 ft seasonal dock hinged to a 6 ft x 2 ft concrete pad, and excavate 605 sq ft to construct a 24 ft x 30 ft perched beach, utilizing 20 cu yds of sand, surrounded by 84 linear ft of stone wall, and dredge 20 sq ft of lakebed for stone steps accessing the water on an average of 153 ft of frontage on Crescent Lake, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders, Inc. dated February 26, 2004, as received by the Department on March 8, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Seasonal pier shall be removed from the lake for the non-boating season.
8. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
9. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction prior to installation of the dock.
10. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 534). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.

11. The steps installed for access to the water shall be located completely landward of the normal high water line.
12. No more than 20 cu yds of sand may be used and all sand shall be located above the normal high water line.
13. This permit shall be used only once, and does not allow for annual beach replenishment.
14. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
15. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(f), construction of a perched beach utilizing no more than 20 cubic yards of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Wolfboro Conservation Commission incorrectly included the building envelope in the calculation of the 50% basal area.
6. The proposed beach will not impact slopes steeper than 25 %.

2004-00403 CANNELLA, SCOTT & KATHY
LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,985 sq. ft. of palustrine forested/scrub-shrub wetlands (of which 2,700 sq. ft. will be temporary impacts during construction) for safety improvements to Litchfield Road including the replacement of a 52 in. CMP culvert with twin 48 in. RCP culverts and associated headwalls.

Conservation Commission/Staff Comments:

The Londonderry Conservation Commission recommends approval of the project.

APPROVE PERMIT:

Dredge and fill a total of 2,985 sq. ft. of palustrine forested/scrub-shrub wetlands (of which 2,700 sq. ft. will be temporary impacts during construction) for safety improvements to Litchfield Road including the replacement of a 52 in. CMP culvert with twin 48 in. RCP culverts and associated headwalls.

With Conditions:

1. All work shall be in accordance with plans by Vollmer Associates, LLP dated 11/07/2003, as received by the Department on March 12, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), to dredge and fill a total of 2,985 sq. ft. of palustrine forested/scrub-shrub wetlands (of which 2,700 sq. ft. will be temporary impacts during construction) for safety improvements to Litchfield Road.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2000-01836 FITZGERALD, ADELE
WEARE Daniels Lake

Requested Action:

Install a 6 ft. wide X 24 ft. long seasonal dock at location specified per plan received by the NH DES Wetlands Bureau June 5, 2002 on this property having 320.39 feet of shoreline frontage on Daniels Lake.

APPROVE PERMIT:

Install a 6 ft. wide X 24 ft. long seasonal dock at location specified per plan received by the NH DES Wetlands Bureau June 5, 2002 on this property having 320.39 feet of shoreline frontage on Daniels Lake.

With Conditions:

1. All work shall be in accordance with plans by Gary Fitzgerald dated Dec. 2001, as received by the Department on June 05, 2002.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. This seasonal dock shall be removed from the lake for the non-boating season.
5. No portion of the dock shall extend more than 24 feet from the shoreline at full lake elevation.
6. Seasonal docks shall be removed for the non-boating season.

2003-01037 AQUARION WATER COMPANY
HAMPTON Eel Creek

Requested Action:

Impact 135 square feet of developed upland tidal buffer zone for the installation of an 8 ft x 4 ft steel wireless telecommunication platform supported by four 2 ft diameter concrete piles; underground coaxial cables; an 18 ft long stockade fence on the platform's street side; and four Rosa Rugosa bushes to be planted in front of the stockade fence.

APPROVE PERMIT:

Impact 135 square feet of developed upland tidal buffer zone for the installation of an 8 ft x 4 ft steel wireless telecommunication platform supported by four 2 ft diameter concrete piles; underground coaxial cables; an 18 ft long stockade fence on the platform's

street side; and four Rosa Rugosa bushes to be planted in front of the stockade fence.

With Conditions:

1. All work shall be in accordance with plans by Dewberry-Goodkind, Inc. dated May 13, 2003, with revisions dated February 4, 2004, as received by the Department on March 30, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has provided written permission from Aquarion Water Company, the owner of the property, for the installation of the wireless telecommunication equipment.
5. The NH Natural Heritage Bureau has identified one natural community of special concern within the project area, a Gulf of Maine Salt Marsh. DES finds that the identified community will not be impacted as a result of this project, as all proposed work will take place within the developed upland tidal buffer zone.

2003-01617 MCNEIL, JESSE
WARNER Unnamed Wetland

Requested Action:

Retain the upgrade of an existing skidder trail impacting approximately 960 square feet of palustrine forested wetlands for installation of a 20' x 18" culvert with associated fill to provide access to a single family residence

Conservation Commission/Staff Comments:

This is an After-the-Fact permit application and not applicable for review as a Minimum Expedited application in accordance with Administrative Rule Wt 202.03(f).

APPROVE PERMIT:

Retain the upgrade of an existing skidder trail impacting approximately 960 square feet of palustrine forested wetlands for installation of a 20' x 18" culvert with associated fill to provide access to a single family residence

With Conditions:

1. All work shall be in accordance with plans by the applicant, as received by the Department on July 29, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

7. Within 60 days of completing the work, or no later than June 30, 2004, submit photos to Wetlands file#2003-1617, documenting the area is stabilized and side slopes have been seeded and mulched.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to provide access to a single family residence.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02029 WADLEIGH, CHARLES AND LINDA
LEBANON Unnamed Stream

Requested Action:

Dredge and fill approximately 1,800 square feet of palustrine forested wetlands to provide access to 1 lot of a 3-Lot subdivision

Conservation Commission/Staff Comments:

Conservation Commission requested intervention on September 8, 2003.

Conservation Commission submitted comments on October 1, 2003, recommending denial of the project in favor of alternative house locations.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Dredge and fill approximately 1,800 square feet of palustrine forested wetlands to provide access to 1 lot of a 3-Lot subdivision

With Findings:

1. A request for additional information dated September 15, 2003, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2003-02086 CUNNINGHAM, ROBERT & DALE
CROYDON Rocky Bound Pond

Requested Action:

Amend permit to include the use of a coffer dam in the repair of the retaining wall.

Conservation Commission/Staff Comments:

No USGS map. Digitized from tax map.
Con. Com. did not respond to application.

APPROVE AMENDMENT:

Repair in-kind 54 linear ft of an existing rock retaining wall on an average of 60 ft of frontage on Rocky Bound Pond, Croydon.

With Conditions:

1. All work shall be in accordance with plans by Robert J. Cunningham dated September 9, 2003, as received by the Department on September 15, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Repair shall maintain existing size, location and configuration.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
9. These shall be the only structures on this water frontage.
10. Work shall be performed "in the dry" during drawdown.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Added Conditions:

12. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
13. Temporary cofferdams shall be entirely removed immediately following construction.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2003-02287 PERRY, MARCELLA
ALTON Unnamed Wetland

Requested Action:

Dredge 4117 square feet of previously impacted wetland for pond construction.

Conservation Commission/Staff Comments:

The commission has no objection to this permit request.

APPROVE PERMIT:

Dredge 4117 square feet of previously impacted wetland for pond construction.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants dated July 29, 2003 and revised through March 5, 2004, as received by the Department on March 19, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
4. Work shall be done during low flow.

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. A post-construction report documenting the status of the final project and adjacent jurisdictional areas, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p), construction of a pond with less than 20,000 sq.ft. of wetlands impact, provided none of the wetlands have type A hydric soil as defined in Env-Ws 1014.02, and that there are no streams into or out of the proposed pond site, and the project is not located in prime wetlands and does not meet the requirements of Wt 303.02(k).

2003-02539 ROBINSON, SIMONE
MEREDITH Unnamed Wetland

Requested Action:

Dredge and fill 25 square feet to restore existing spring and temporarily impact 550 square feet of forested wetland for installation of a water line and retain 12-inch x 20 foot culvert impacting 175 feet of forested wetland for access to a proposed single family residence.

Conservation Commission/Staff Comments:

The conservation commission has provided comments on this application but no recommendations.

APPROVE PERMIT:

Dredge and fill 25 square feet to restore existing spring and temporarily impact 550 square feet of forested wetland for installation of a water line and retain 12-inch x 20 foot culvert impacting 175 feet of forested wetland for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Gove Environmental Services, as received by the Department on November 12, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be conducted during low water conditions.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Area of temporary impact shall be regraded to original contours following completion of work.
8. All material removed during work activities shall be removed down to the level of the original hydric soils.
9. All material removed during work activities shall be placed out of DES's jurisdiction.
10. Mulch within the restoration area shall be straw.
11. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
12. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2003-02845 MORNEAU, DAREN
MADISON Unnamed Stream

Requested Action:

Dredge and fill 360 sq. ft. of a 118 linear foot seasonal drainage swale to reroute drainage and construct a driveway/ culvert crossing on a single family residential house lot.

APPROVE PERMIT:

Dredge and fill 360 sq. ft. of a 118 linear foot seasonal drainage swale to reroute drainage and construct a driveway/ culvert crossing on a single family residential house lot.

With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne - Surveys, Inc. dated 12/19/03, as received by the Department on December 24, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.

2004-00139 HUDSON, TOWN OF
HUDSON Glover Brook

Requested Action:

Dredge and fill 50 sq. ft. in the embankment of Glover Brook to construct a rip rap apron/ outlet structure for a 150 ft. stormwater runoff treatment swale to be constructed in uplands parallel to the brook.

APPROVE PERMIT:

Dredge and fill 50 sq. ft. in the embankment of Glover Brook to construct a rip rap apron/ outlet structure for a 150 ft. stormwater runoff treatment swale to be constructed in uplands parallel to the brook.

With Conditions:

1. All work shall be in accordance with plans by Thomas J. Sommers. P.E., Hudson Town Engineer dated 12-29-03, as received by the Department on January 14, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

5. Work shall be done during low flow.

2004-00205 WINNISQUAM DEVELOPMENT ASSOCIATION
SANBORNTON Lake Winnisquam

Requested Action:

Replenish an existing 200 ft x 100 ft beach with 10 cu yds of sand on 103 ft of frontage on Lake Winnisquam, Sanbornton.

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Replenish an existing 200 ft x 100 ft beach with 10 cu yds of sand on 103 ft of frontage on Lake Winnisquam, Sanbornton.

With Conditions:

1. All work shall be in accordance with plans by Winnisquam Development Association, as received by the Department on March 24, 2004.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), replenishment of an existing beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00267 NH DEPT OF TRANSPORTATION
SOUTH HAMPTON Unnamed Stream

Requested Action:

Replace headwalls with end sections on a 36 in. x 78 ft. culvert impacting 522 sq. ft. (100 sq. ft. temporary) of a perennial stream.

APPROVE PERMIT:

Replace headwalls with end sections on a 36 in. x 78 ft. culvert impacting 522 sq. ft. (100 sq. ft. temporary) of a perennial stream.

NHDOT project #M-611.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 6 as received by the Department on February 19, 2004.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of a perennial stream and exceeding the stream width limitation as listed under rule Wt 303.04(j) minimum impact project).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2004-00295 NORTHUMBERLAND, TOWN OF
NORTHUMBERLAND Unnamed Stream

Requested Action:

Dredge and fill 1,240 sq. ft. of temporary impacts to jurisdictional wetlands to install an 8-inch water main under Dean Brook.

APPROVE PERMIT:

Dredge and fill 1,240 sq. ft. of temporary impacts to jurisdictional wetlands to install an 8-inch water main under Dean Brook.

With Conditions:

1. All work shall be in accordance with plans by Provan & Lorber, Inc. dated MAR 2004, as received by the Department on February 23, 2004.
2. Area shall be regraded to original contours following completion of work.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Wetland replication of temporary impact area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
6. Work shall be done during low flow.

2004-00372 THE WILLOWS AT LONG BAY CONDOMINIUM ASSOC., DAVID
LACONIA Man-made Pond

Requested Action:

Restore existing 300 sq ft beach to natural shoreline on an average of 20 ft of frontage on a man-made pond, in Laconia.

Conservation Commission/Staff Comments:

Con. Com. had no objections to the project.

APPROVE PERMIT:

Restore existing 300 sq ft beach to natural shoreline on an average of 20 ft of frontage on a man-made pond, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated November 29, 2000, revised on February 26, 2004, as received by the Department on March 8, 2004.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Dredged or excavated material from the removed beach area shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. Stone placed along the shoreline for restoration shall be located at or landward of those rocks currently existing along the normal high water line such that the natural shoreline remains identifiable.
5. The area shall be revegetated with a conservation mix of native species including trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(m), projects that disturb less than 50 linear feet of shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2004-00034 WORTHEN, SAMUEL
BRISTOL Unnamed Stream

2004-00382 CHRISENTON, THOMAS
LYNDEBOROUGH Unnamed Stream

2004-00454 STATE OF NEW HAMPSHIRE, DIV. OF FOREST & LANDS
LITCHFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Litchfield Litchfield State Forest

2004-00457 HIGGINS, KATHIE
HILL Unnamed Stream

COMPLETE NOTIFICATION:
Hill Tax Map 8, Lot# 8, 15, & 3-2

2004-00476 BEMIS, NORMAN
DUBLIN Unnamed Stream

COMPLETE NOTIFICATION:
Dublin Tax Map 5, Lot# 2

2004-00477 MANCHESTER WATER WORKS
AUBURN Unnamed Stream

COMPLETE NOTIFICATION:
Auburn Tax Map 5, Lot# 104

2004-00478 UPLAND FARM INC.
PETERBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Peterboro Tax Map R3, Lot# 40 & 40-3

2004-00479 BODWELL, ROBERT
SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Sanbornton Tax map 22, Lot# 38

2004-00480 GAJEWSKI, GERRY
BARRINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Barrington Tax Map 13, Lot# 14

2004-00481 CROW, HARTE & ANN
HANOVER Unnamed Stream

COMPLETE NOTIFICATION:
Hanover Tax Map 17, Lot# 17

2004-00482 DILLON, THOMAS & SCOTT
ERROL Unnamed Stream

COMPLETE NOTIFICATION:
Errol Tax Map R2, Lot# 22

2004-00483 BOUCHARD, KENNETH
MADBURY Unnamed Stream

COMPLETE NOTIFICATION:
Madbury Tax Map 4, Lot# 14A

EXPEDITED MINIMUM

2003-00066 DUFRESNE, AMY
HOOKSETT Unnamed Wetland

Requested Action:

Approve name change to: Kenney Builders LLC, 3 Beacon Hill, Hooksett, NH 03106 per request received 4/1/04.

Conservation Commission/Staff Comments:

The minimum impact expedited application was signed by the Hooksett Conservation Commission.

APPROVE NAME CHANGE:

Dredge and fill 2,195 sq. ft. of forested wetlands to replace an existing 15 in. dia. CMP culvert with 50 feet of 18 in. dia. ADS culvert and associated fill to upgrade and widen an existing roadway to provide access to a 5-lot residential subdivision on a 14.37 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated February 2003, last revised and stamped by Jennifer B. McCourt, P.E. March 14, 2003, as received by the Department on March 18, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Work shall be done during low flow.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2003-01919 MACKEY, ROBIN
PLAINFIELD Unnamed Wetland

Requested Action:

Install 18-inch x 40 foot culvert impacting 750 square feet of forested wetland for access to a proposed residential dwelling.

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application form.

APPROVE PERMIT:

Install 18-inch x 40 foot culvert impacting 750 square feet of forested wetland for access to a proposed residential dwelling.

With Conditions:

1. All work shall be in accordance with plans by Northeast Septic Design dated August 12, 2003, and revised through March 10, 2004, as received by the Department on March 15, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows.

2003-02815 SCANLON, EDWARD
NEWFIELDS Unnamed Wetland

Requested Action:

Fill 1,000 square feet of forested wetlands for the construction of a roadway access to a twenty-four lot subdivision, and temporarily impact 1,000 square feet of forested wetlands for the installation of water and sewer lines. Project impacts total 2,000 square feet of impacts to forested wetlands.

Inspection Date: 03/12/2004 by Christina Altimari

APPROVE PERMIT:

Fill 1,000 square feet of forested wetlands for the construction of a roadway access to a twenty-four lot subdivision, and temporarily impact 1,000 square feet of forested wetlands for the installation of water and sewer lines. Project impacts total 2,000 square feet of impacts to forested wetlands.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated May 3, 2003, with revisions dated February 19, 2004, as received by the DES on February 25, 2004; and plan by Jones & Beach Engineers, Inc. dated March 30, 2004, as received by the DES on March 31, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Site Specific Program.
5. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
8. Appropriate siltation, erosion, turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. All temporary impacts associated with the utility installation shall be restored following the completion of work.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), project involving less than 3,000 square feet of wetland impacts.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided written approval in the form of a signed Utility Easement from The owner of Newfields Tax Map 104/Lot 7, for the installation of the utility lines through the property.
6. The applicant has provided written approval from one of the two abutters whose property lines exist within 20 feet of the proposed utility installation.
7. DES finds that the utility installation will not cause negative environmental impacts to the abutting property. All proposed temporary impacts are located down gradient from the abutter's property, and will be restored following completion of installation.

2004-00112 COOPERMAN, JEANNIE
MEREDITH Unnamed Wetland

Requested Action:

Dredge 4,800 square feet of palustrine wet meadow for pond construction and dredge and fill 688 square feet including the installation of a 18-inch x 30 foot culvert for woodlot access.

Conservation Commission/Staff Comments:

Meredith Conservation Commission signed the expedited application.

APPROVE PERMIT:

Dredge 4,800 square feet of palustrine wet meadow for pond construction and dredge and fill 688 square feet including the installation of a 18-inch x 30 foot culvert for woodlot access.

With Conditions:

1. All work shall be in accordance with plans by William Hoey, NRCS dated December 2003 and revised February 17 2004, as received by the Department on January 17, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. All steps shall be taken during the construction necessary to assure that no water quality violations occur on the Property.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. The culvert proposed for the woods road shall be placed within the existing stream channel.
12. Culvert outlets shall be properly rip rapped in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Lyme shall not be used within jurisdictional areas.
14. Mulch within jurisdictional areas shall be straw.
15. The permittee shall consult with the County Conservation District to determine the appropriate wetland seed mix to be applied to the wetlands restoration areas on the Property. Documentation confirming use of the appropriate seed mix shall be forwarded to DES.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. The contractor responsible for completion of the work shall utilize techniques described in the Best Management Practices for Erosion control on Timber Harvesting Operations In New Hampshire (February 2000).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(e), alteration of jurisdictional inland wetlands to construct a pond with less than 20,000 square feet of impact and Administrative Rule Wt 303.04(c), alteration of jurisdictional inland wetland to construct an access road for timber harvesting.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 3, 2003. Field inspection determined this project is deemed minor impact due to a defined stream channel located with the proposed pond site.

Requested Action:

Replace failing bridge with a 10-foot by 18-foot culvert impacting 240 square feet of perennial stream.

Conservation Commission/Staff Comments:

Bradford Conservation Commission signed off on the Expedited Application.

APPROVE PERMIT:

Replace failing bridge with a 10-foot by 18-foot culvert impacting 240 square feet of perennial stream.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs revised March 10, 2004, as received by the Department on March 19, 2004.
2. Work shall be done during low flow.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional inland wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00265 GORDON, JEFFREY & DONNA ALIIGIAN
RYE Tidal Buffer Zone

Requested Action:

Impact 600 square feet of developed upland tidal buffer zone for the removal of an existing single-family residence and the construction of a new single-family residence.

APPROVE PERMIT:

Impact 600 square feet of developed upland tidal buffer zone for the removal of an existing single-family residence and the construction of a new single-family residence.

With Conditions:

1. All work shall be in accordance with plans by Fine Print Factory, as received by the Department on February 18, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence that demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In compliance with RSA 483-B, the Comprehensive Shoreland Protection Act, all house construction will take place landward of the 50-foot primary building setback line.
6. The applicant has obtained written approvals from each of the two abutters whose property lines exist within 20 feet of the proposed impacts.

2004-00287 SABER, EDWARD
MEREDITH Lake Winnepesaukee

Requested Action:

Replace (3) tie-off pilings in-kind adjacent to an existing 4 ft x 16 ft dock on 98 ft of frontage on Meredith Bay, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Replace (3) tie-off pilings in-kind adjacent to an existing 4 ft x 16 ft dock on 98 ft of frontage on Meredith Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Edward Saber dated February 17, 2004, as received by the Department on February 23, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Removed pillings shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in

size, location or configuration.

2004-00311 HOLDER, ROBERT
BROOKLINE Unnamed Wetland

Requested Action:

Dredge and fill 1,072 square feet of forested wetlands to provide access to lot F-11-10 of a ten lot residential subdivision on 30.264 acres and place 12.07 acres in a conservation easement for the portions of lots F-11-5 through F-11-10.

Conservation Commission/Staff Comments:

Milford Conservation Commission signed the application

APPROVE PERMIT:

Dredge and fill 1,072 square feet of forested wetlands to provide access to lot F-11-10 of a ten lot residential subdivision on 30.264 acres and place 12.07 acres in a conservation easement for the portions of lots F-11-5 through F-11-10.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated January 13, 2004 as received by the Department on February 27, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for all the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. Work shall be conducted during low flow conditions.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(f), alteration of less than 3,000 square feet of jurisdictional inland wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00326 SORAK, DAVID & GLENDA
BEDFORD Unnamed Wetland

Requested Action:

Dredge and fill 2,129 square feet of palustrine forested wetlands to construct a driveway/culvert crossing to provide access to lot 7-15-2 of a three lot residential subdivision on a 17.281 acre parcel of land.

Conservation Commission/Staff Comments:

Bedford Conservation Commission signed the application

APPROVE PERMIT:

Dredge and fill 2,129 square feet of palustrine forested wetlands to construct a driveway/culvert crossing to provide access to lot 7-15-2 of a three lot residential subdivision on a 17.281 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by TFMoran Inc. dated December 28, 2003 as received by the Department on March 1, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for all the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Work shall be conducted during low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional inland wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00391 STONECREST CONDO ASSOC.
LACONIA Lake Winnepesaukee / Paugus Bay

Requested Action:

Repair and maintain and existing 12 slip major docking facility consisting of six docks connected to a wharf along 470 ft of frontage on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair and maintain and existing 12 slip major docking facility consisting of six docks connected to a wharf along 470 ft of frontage on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 4, 2004, as received by the Department on February 27, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Repair shall maintain existing size, location and configuration.
7. This permit does not allow for maintenance dredging.
8. Repairs shall maintain existing size, location and configuration.
9. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
11. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
12. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2004-00393 TOZIER, HARLAN & ELIZABETH
BROOKFIELD Unnamed Wetland

Requested Action:

Dredge and fill approximately 300 square feet of forested wetlands to install a 12-inch diameter culvert to provide access to a single lot of a two lot residential subdivision on approximately 27.2 acres.

Conservation Commission/Staff Comments:

The Brookfield Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 300 square feet of forested wetlands to install a 12-inch diameter culvert to provide access to a single lot of a two lot residential subdivision on approximately 27.2 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Berry Surveying & Engineering:
 - a) The Proposed Subdivision plan (Page 1 of 2) dated February 13, 2004 and revised on March 3, 2004, as received by the Department on March 10, 2004.
 - b) The Topography plan (Page 2 of 2) dated February 13, 2004, as received by the Department on March 10, 2004.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during low flow conditions.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), alteration of jurisdictional wetland to allow access to a single family residential lot.
2. The need for the proposed impacts has been demonstrated by the applicant, per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00465 DELANEY, WILLIAM & CONSTANCE
MEREDITH Lake Winnepesaukee**

Requested Action:

Replace 12 previously permitted pilings supporting a 6 ft by 30 ft dock connected to a 6 ft by 30 ft dock by a 4 ft by 23 ft walkway on an average of 305 ft of frontage on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace 12 previously permitted pilings supporting a 6 ft by 30 ft dock connected to a 6 ft by 30 ft dock by a 4 ft by 23 ft walkway on an average of 305 ft of frontage on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Mason Marine Construction dated January 20, 2004, as received by the Department on March 22, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Repair shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

GOLD DREDGE

2004-00486 BORGSTROM, KEITH
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath Town Offices and ConCom

2004-00525 WOODWARD, EARLE
(ALL TOWNS) Unnamed Stream

2004-00528 SICELY, JOSEPH
(ALL TOWNS) Unnamed Stream

TRAILS NOTIFICATION

2004-00455 STATE OF NH - DRED
NOTTINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Patuckaway State Park

LAKES-SEASONAL DOCK NOTIF

2004-00464 FRANK, PAULA
DALTON Forest Lake

COMPLETE NOTIFICATION:
Dalton Tax Map 201, Lot# 23 Forest Lake

2004-00487 KOHILAKIS, ALEXANDER
DERRY Beaver Lake

COMPLETE NOTIFICATION:
Derry Tax Map 56 Lot# 28 Beaver Lake

2004-00513 SCOTT, ROBERT & M MACNAUGHTON
NEW LONDON Little Sunapee Lake

COMPLETE NOTIFICATION:
New London Tax Map 45, Lot# 29 Little Sunapee Lake

2004-00514 DRISCOLL, DENNIS
GRAFTON Half Moon Pond

COMPLETE NOTIFICATION:
Grafton Tax Map 15C, Lot# 547 Half Moon Pond

2004-00523 HAWKINS, WILLIAM
WAKEFIELD Balch Lake

COMPLETE NOTIFICATION:
Wakefield Tax Map 55, Lot# 50 Balch Lake

SHORELAND VARIANCE / WAIV

2004-00512 MUSEUM LODGES LLC
TUFTONBORO Lake Winnepesaukee

APPROVE CSPA WAIVER:
Expand seven nonconforming, two-bedroom cottages to a maximum interior floor space of 631 square feet (unit 5 and unit 10); and

Expand three nonconforming one-bedroom cabins to a maximum interior floor space of 432 square feet (units 2 through 4 and 7 through 9); and

Convert the existing cabin colony arrangement to condominium form of ownership with state subdivision approval.

With Conditions:

1. There shall be no expansion within 50 feet of the reference line.
2. All cabins within protected shoreland must remain one level with no expansion beyond the approved limits.
3. There shall be no additional paving or expansion of existing paved areas within protected shoreland.
4. There shall be no removal of vegetation within the natural woodland buffer except limbing or pruning. Additionally, any dead, diseased, unsafe, or fallen trees, saplings, shrubs, or ground covers may be removed in accordance with RSA 483-B:9 V.(a)(2)(D).
5. Only those structures that exist on convertible land may be replaced in kind in accordance with the recorded condominium documents. The reconstruction of structures on convertible land shall be completed within one year of the date of demolition.
6. All activities and projects undertaken as part of, or in the future use of, this condominium or parcel, or any portion(s) thereof, by any owner, lessor, renter, or association shall comply fully with all policies of the NHDES Shoreland Protection Program, Env-Ws 1400, NH RSA 483 B (The NH Comprehensive Shoreland Protection Act), and any other relevant DES rules and NH Statutes.
7. There shall be no additional residential units, as defined in RSA 483-B:4, XIX or successor statute, constructed or designated within this condominium or parcel within protected shoreland.
8. There shall be no increase in sewerage loading including, but not limited to, the creation of additional bedrooms and/or the creation, addition of, or conversion to use as commercial, industrial, or retail space.
9. These conditions shall be made part of the approved condominium document that is to be recorded with the registry of deeds.
10. The recorded condominium document shall be executed accordingly and shall not be altered nor amended without in a way that impacts any activity regulated under RSA 483-B, RSA 485-A or any other statute administered by DES without approval from DES pursuant to RSA 485-A:29.

With Findings:

1. The applicant has proposed a new septic system that meets the current loading requirements and designed to current codes.
2. The proposed expansion is to accommodate more functional kitchen and bathroom facilities.
3. The applicant has secured a easement for a 125 foot protective well radius.
4. The applicant has proposed upgrading the existing drainage system to current codes.
5. The applicant has proposed a restriction on any additional paving on the property.
6. The applicant has proposed a restriction on any additional cutting within the natural woodland buffer.
7. By converting this cabin colony to condominium ownership, the applicant will create a more predictable situation that will remain a stable for the future.

PERMIT BY NOTIFICATION

2004-00253 PASSONI, ROBERT
ACWORTH Unnamed Stream

Requested Action:

PBN project #1, Driveway crossing, 2,438 sq ft impact to palustrine forested wetland per revised plan by Landmark Land Services, LLC. date March 2, 2004 as received by the Department on March 16, 2004.

Conservation Commission/Staff Comments:

Acworth Conservation Commission did not sign the application.

Acworth ConCom has filed a comment with this file.

PBN IS COMPLETE:

PBN project #1, Driveway crossing, 2,438 sq ft impact to palustrine forested wetland per revised plan by Landmark Land Services, LLC. date March 2, 2004 as received by the Department on March 16, 2004.

2004-00519 STEPANEK, BARBARA/STEPHEN
ALTON Lake Winnepesaukee

Requested Action:

PBN #11, in kind replacement of dock pilings.

Conservation Commission/Staff Comments:

Alton Conservation Commission signed the PBN application

PBN IS COMPLETE:

PBN #11, in kind replacement of dock pilings.